

Message

From: Pfeifer, David [pfeifer.david@epa.gov]
Sent: 1/5/2016 4:41:45 PM
To: Wester, Barbara [wester.barbara@epa.gov]; Marko, Katharine [Marko.Katharine@epa.gov]
Subject: FW: response to december 21, 2015 request for meeting regarding polymet/northmet CWA 404 permit

I believe our position is that we are willing to have a listening session to hear whatever Paula may wish to say and that we want MPCA to be given the opportunity to participate. Correct?

David Pfeifer
 Chief, Standards Section
 USEPA, Region 5

312-353-9024

From: Holst, Linda
Sent: Tuesday, January 05, 2016 10:38 AM
To: Pfeifer, David <pfeifer.david@epa.gov>
Cc: Poleck, Thomas <poleck.thomas@epa.gov>; Marko, Katharine <Marko.Katharine@epa.gov>
Subject: FW: response to december 21, 2015 request for meeting regarding polymet/northmet CWA 404 permit

Dave – Please prepare a response. Thanks.

From: Westlake, Kenneth
Sent: Tuesday, January 05, 2016 10:18 AM
To: Melgin, Wendy <melgin.wendy@epa.gov>; Wester, Barbara <wester.barbara@epa.gov>; Sedlacek, Michael <Sedlacek.Michael@epa.gov>; Holst, Linda <holst.linda@epa.gov>; Pfeifer, David <pfeifer.david@epa.gov>; Poleck, Thomas <poleck.thomas@epa.gov>; Marko, Katharine <Marko.Katharine@epa.gov>
Cc: Kenney, Thomas <kenney.thomas@epa.gov>
Subject: RE: response to december 21, 2015 request for meeting regarding polymet/northmet CWA 404 permit

Linda,
 Could you or your staff provide Water Quality Branch input to Barbara Wester regarding Water Legacy's request for a meeting/call with EPA? Barbara has already transmitted Wendy's reaction regarding 404.
 Ken

From: Melgin, Wendy
Sent: Tuesday, January 05, 2016 9:53 AM
To: Wester, Barbara <wester.barbara@epa.gov>; Sedlacek, Michael <Sedlacek.Michael@epa.gov>
Cc: Westlake, Kenneth <westlake.kenneth@epa.gov>; Kenney, Thomas <kenney.thomas@epa.gov>
Subject: RE: response to december 21, 2015 request for meeting regarding polymet/northmet CWA 404 permit

That is correct. The Corps is the permitting agency and their comments should be directed at them. If they want to set up a call with the Corps, we would be willing to participate, but the Corps is the lead.

From: Wester, Barbara
Sent: Tuesday, January 05, 2016 9:51 AM
To: Sedlacek, Michael <Sedlacek.Michael@epa.gov>
Cc: Westlake, Kenneth <westlake.kenneth@epa.gov>; Melgin, Wendy <melgin.wendy@epa.gov>; Kenney, Thomas

<kenney.thomas@epa.gov>

Subject: Fw: response to december 21, 2015 request for meeting regarding polymet/northmet CWA 404 permit

mike - fyi - at this point i'm waiting to hear what the programs would like to do in response to paula's reply to my response. i think wendy's suggestion was to tell paula that if she sets up a meeting with COE we will try to participate.

barbara

From: Paula Maccabee <pmaccabee@justchangelaw.com>

Sent: Monday, January 4, 2016 9:39 AM

To: Wester, Barbara

Cc: Kenney, Thomas; Westlake, Kenneth

Subject: Re: response to december 21, 2015 request for meeting regarding polymet/northmet CWA 404 permit

Barbara,

Thank you for your email.

We would appreciate the opportunity to discuss Section 404 issues pertaining to mercury, methylmercury and other water quality issues presented in expert opinions as well as in WaterLegacy's comments.

We look forward to hearing from you.

Sincerely,
Paula

Paula Maccabee, Esq.

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Advocacy Director/Counsel for WaterLegacy

From: Barbara Wester <wester.barbara@epa.gov>

Date: Monday, January 4, 2016 at 8:52 AM

To: Paula Maccabee <pmaccabee@justchangelaw.com>

Cc: "Kenney, Thomas" <kenney.thomas@epa.gov>, Kenneth Westlake <westlake.kenneth@epa.gov>

Subject: response to december 21, 2015 request for meeting regarding polymet/northmet CWA 404 permit

paula --

i am responding to your december 21, 2015, email to ken westlake requesting a meeting with EPA to discuss water legacy's views on the clean water act section 404 permit for the polymet/northmet mine project.

since the 404 permit decision rests with the corps of engineers, we encourage you to direct your requests for discussion to the corps.

the region's wetlands program appreciates receiving water legacy's recent final EIS comments on wetland issues. the program feels that it has a clear understanding of the issues raised in your comments and does not feel the need for a meeting with your organization for further explanatory discussion.

Barbara L. Wester
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U.S. Environmental Protection Agency, Region V
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wester.barbara@epa.gov

From: Paula Maccabee [<mailto:pmaccabee@justchangelaw.com>]
Sent: Monday, December 21, 2015 3:06 PM
To: Westlake, Kenneth <westlake.kenneth@epa.gov>
Subject: Re: EPA comment letter on NorthMet Final EIS

Hi Ken:

We appreciate your forwarding a copy of the EPA's comment letter on the PolyMet NorthMet FEIS

I would like to schedule a meeting in January with EPA Region 5 staff and some of WaterLegacy's experts to discuss concerns related to the Section 404 permit. I would greatly appreciate your assistance in setting up this meeting. I look forward to hearing from you.

Thank you very much.

Sincerely,
Paula

—

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